

Message Text

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ACTION EB-08

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E.O. 11652: N/A
TAGS: EAIR, SP
SUBJECT: CIVAIR: TWA LIBERALIZED APEX FARE

REF: STATE 2419

1. EMBOFF JANUARY 9 DELIVERED NOTE VERBALE TO MINISTRY OF FOREIGN AFFAIRS PER PARA. 6 REFTEL. IN ENSUING DISCUSSION, MFA OFFICIAL RESPONSIBLE FOR CIVIL AVIATION MATTERS (FRANCISCO FERNANDEZ FABREGAS) REVIEWED HISTORY OF US-SPANISH CIVIL AVIATION AGREEMENT, WHICH HE CLAIMED HAS BEEN CONSISTENTLY WEIGHTED IN FAVOR OF US SIDE, ESPECIALLY WITH REGARD TO FIFTH FREEDOM RIGHTS. ON SPECIFIC ISSUE OF TWA LIBERALIZED APEX FILING FABREGAS SAID THAT IBERIA LOSSES WOULD BE INCREASED IF THIS TARIFF WERE APPROVED AND IMPLEMENTED.

2. EMBOFF STRESSED FACT THAT US-GOS CIVIL AVIATION RELATIONS HAVE BEEN SMOOTH DURING RECENT PERIOD AND EXPRESSED HOPE THAT PRESENT DISAGREEMENT COULD BE SETTLED PROMPTLY AND AMICABLY. HOWEVER, EMBOFF POINTED OUT THAT MAJOR CHANGES ARE BEING IMPLEMENTED ACROSS THE BOARD IN CIVIL AVIATION AND USG FEELS THAT SPAIN MUST BE PREPARED TO ACCEPT LIBERALIZED TARIFFS EVEN AT SOME RISK. FABREGAS SAID HE WOULD DISCUSS MATTER WITH DIRECTOR GENERAL OF AIR

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TRANSPORT, GENERAL DIEGO YNIGUEZ, AND INFORM EMBASSY OF RESULTS.

3. ON JANUARY 10 GENERAL YNIGUEZ CALLED EMBASSY AND MADE SAME BASIC POINTS. IN EFFECT HE CONFIRMED POSITION TAKEN BY FABREGAS THAT SPANISH GOVERNMENT DOES NOT PLAN TO APPROVE TWA FILING. GENERAL YNIGUEZ SAID HE BELIEVED

THAT US AND SPANISH AUTHORITIES SHOULD MEET AND ENDEAVOR TO REACH MUTUAL AGREEMENT ON TARIFFS, AS PROVIDED IN ARTICLE 10(D) AND (E) OF THE BILATERAL AGREEMENT. YNIGUEZ SUGGESTED FIRST WEEK OF FEBRUARY AS SUITABLE TIME FRAME AND EXPRESSED HOPE THAT MR. WHITE AND "HIS CHIEF WHO SPEAKS GOOD SPANISH" COULD COME TO MADRID ABOUT THAT TIME. MINISTRY OF FOREIGN AFFAIRS HAS CONFIRMED THAT SUGGESTED DATES ARE AGREABLE FOR DISCUSSIONS.

4. ACTION REQUESTED: EMBASSY WOULD APPRECIATE BEING INFORMED IF US REPRESENTATIVES CAN VISIT MADRID APPROXIMATELY FIRST WEEK OF FEBRUARY FOR REQUESTED CONSULTATIONS WITH GOS. GENERAL YNIGUEZ AND MR FABREGAS ARE PRESENTLY ON ONE-WEEK TRIP TO LATIN AMERICA BUT WILL BE BACK NEXT WEEK, AT WHICH TIME EMBASSY COULD FIRM UP PRECISE DATES FOR MEETINGS. EMBASSY BELIEVES SUCH DISCUSSIONS COULD BE VERY USEFUL AT THIS JUNCTURE, NOT ONLY FOR DEALING WITH SPECIFIC ISSUE OF TWA FILING BUT ALSO FOR PROVIDING SPANISH WITH CURRENT DEVELOPMENTS IN GLOBAL US AVIATION POLICY. STABLER

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